

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventor: Kenichi Miyoshi

Art Unit: 2419

Appln. No.: 10/539,088

Exr. D. Mitchell

Filed: June 15, 2005

Conf. No.: 7120

For: RADIO COMMUNICATION APPARATUS AND RADIO TRANSMISSION  
METHOD

INFORMATION DISCLOSURE STATEMENT  
AND FEE UNDER 37 CFR §1.17(p)

Assistant Commissioner of Patents  
Washington, DC 20231

Dear Sir:

Pursuant to Rules 56 and 97(c), Applicants hereby call the attention of the Patent Office to the references listed on the attached Form PTO-1449. Attached is a Chinese Office Action dated December 12, 2008 with English-language translation. References "JP 795" and "JP 983" were previously cited in the Information Disclosure Statement dated June 15, 2005.

Applicants present these references so that the Patent Office may, in the first instance, determine any relevancy thereof to the presently claimed invention, see Beckman Instruments, Inc. v. Chemtronics, Inc., 439 F.2d 1369, 1380, 165 USPQ 355, 364 (5th Cir. 1970). Also see Patent Office Rules 104 and 106. Applicants respectfully request that these references be expressly considered during the prosecution of this application and made of record herein and appear among the "References Cited" on any patent to issue herefrom.

The fee of \$180.00 set forth in 37 CFR §1.17(p) may be charged to Deposit Account No. 04-1061.

The Commissioner of Patents and Trademarks is hereby authorized to charge any additional fee (or credit any overpayment) to Deposit Account No. 04-1061.

Respectfully submitted,

/James Edward Ledbetter/

Date: March 9, 2009

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JEL/krw

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